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7-3-01  
B. Hilliard

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Joseph H. MATTHEWS III, et al.**

Serial No.: 09/422,654

Filed: October 22, 1999

For: USER FRIENDLY REMOTE  
SYSTEM INTERFACE WITH MENU  
HIGHLIGHTING

Atty. Docket No.: 03797.84665

Group Art Unit: 2173

Examiner: B. Huynh

**RESPONSE**

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**  
JUL 03 2001  
Technology Center 2100

Sir:

In response to the Office Action mailed March 28, 2001 and in conjunction with the Continued Prosecution Application (CPA) filed herewith pursuant to 37 C.F.R. § 1.53(d), reconsideration and allowance of the instant application is requested in view of the following remarks.

**REMARKS**

The office action of March 28, 2001 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 40-48 remain pending in the present application.

Claims 40-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,678,331 (Volk et al.). Applicants respectfully traverse this rejection.

Since this amendment is being filed with a CPA application, the filing date of the instant application is now subsequent to November 29, 1999, and all the provisions of 35 U.S.C. § 103(c) are effective. According to 35 U.S.C. § 103(c), subject matter developed by another which qualifies as prior art under 35 U.S.C. § 102(e), (f), and/or (g) "shall not preclude